

**MINUTES OF AN ORDINARY MEETING OF THE FINANCE AND OPERATIONAL  
PERFORMANCE COMMITTEE HELD IN THE CIVIC CENTRE,  
6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,  
ON THURSDAY, 14 FEBRUARY 2002  
COMMENCING AT 9.05 AM.**

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**PRESENT:**

Councillors JM Clews, QSO, JP (Chairperson)  
BA Brady, JP (Deputy Chairperson) (from 9.07 am)  
DQ Battersby, JP (until 2.30 pm)  
AC Fenton (from 9.09 am)  
PA Hulse (until 2.23 pm)  
JP Lawley (from 9.10 am) (until 3.10 pm)  
GE Nash, JP  
GB Presland (from 9.10 am) (until 2.53 pm)  
CA Stone  
DA Yates, JP

Mayor, Bob Harvey, QSO, JP (ex officio) (from 9.10 am) (until 11.29 am)

**OBSERVERS:**

Mr WR Davis (Henderson Community Board)

**IN ATTENDANCE:**

Director: Finance  
Director: Strategic Group  
Director: City Services  
Director: City Enterprises  
Manager: Library and Information Services  
Manager: Legal Services  
Manager: Democracy and Support Services  
Manager: Policy Development  
Partnerships and Advocacy Manager  
Project Manager: Strategic Projects  
Project Manager: Urban Design  
Services Manager  
Chief Management Accountant  
Acting Revenue Services Manager  
Legal and Insurance Officer  
Mayoral Executive Officer  
Partnerships and Advocacy Leader: Economic Development  
Partnerships and Advocacy Leader: Governance and Infrastructure  
Senior Analyst Environmental  
Property Officer: M Hieatt  
Property Officer: A Dougal  
Funds Accountant  
Revenue Accountant  
Editor-Writer  
Committee Secretary: S Simiona

Mr Graeme Osborne, Tourism Auckland  
Dr Jessica Beaver, Waitakere Ranges Protection Society

**1 APOLOGIES**

158/2002

MOVED by Cr Stone, seconded Cr Yates:

That apologies from Crs Dallow, Neeson, Russell and Hoskin for absence be received and sustained.

**CARRIED**

9.07 am Cr Brady entered the meeting.

9.09 am Cr Fenton entered the meeting.

**2 URGENT BUSINESS**

There was no Urgent Business.

**3 CONFIRMATION OF MINUTES**

159/2002

MOVED by Cr Stone, seconded Cr Nash:

That the minutes of the Ordinary Meeting of the Finance and Operational Performance Committee held on Thursday, 13 December 2001, as circulated, be taken as read and now be confirmed.

**CARRIED**

9.10 am Mayor Bob Harvey, Crs Lawley and Presland entered the meeting.

**4 TOURISM AUCKLAND - HALF YEARLY REPORT**

Graeme Osborne, Chief Executive Officer, Tourism Auckland presented Tourism Auckland's half yearly report to the Committee.

160/2002

MOVED by Cr Lawley, seconded Cr Presland:

That the information be received.

**CARRIED**

**PART I - DEPUTATION**

**DECLARATION OF INTEREST**

9.50 am Cr Presland declared an interest and withdrew from the table and took no part in the debate or decision on Land Purchase - 71 Turanga Road.

**5 DR JESSICA BEAVER - WAITAKERE RANGES PROTECTION SOCIETY**

9.55 am Cr Hulse left the meeting.

Dr Jessica Beaver on behalf of the Waitakere Ranges Protection Society made a presentation to the Committee on the history of Spragg Bush and the purchase of 71 Turanga Road, Waiaatarua.

161/2002

MOVED by Cr Brady, seconded Cr Yates:

That the information be received.

**CARRIED**

10.09 am Cr Hulse returned to the meeting.

**PRECEDENCE OF BUSINESS**

162/2002

MOVED by Cr Stone, seconded Cr Brady:

That Item 16: Update - Financial Assistance to Waitakere Ranges Protection Society - Land Purchase 71 Turanga Road be accorded precedence at this time.

**CARRIED**

10.15 am Cr Presland left the meeting.

**PART IV - FINANCE**

**16 UPDATE - FINANCIAL ASSISTANCE TO WAITAKERE RANGES PROTECTION SOCIETY - LAND PURCHASE 71 TURANGA ROAD**

163/2002

MOVED by Cr Hulse, seconded Cr Stone:

1. That the information be received.

2. That it be recommended to Council that:
  - (i) A grant of \$25,000 from the Waitemata Asset Acquisition Fund and a loan of \$17,000 be made to the Waitakere Ranges Protection Society to assist with the purchase of 71 Turanga Road, Waiatarua with the interest on the loan being paid from the Waitemata Asset Acquisition Fund.
  - (ii) Any financial assistance for the potential purchase of 14 Turanga Road, Waiatarua by the Waitakere Ranges Protection Society be referred to the 2002/2003 Annual Plan process.
  - (iii) Council approach the Auckland Regional Council seeking a financial contribution towards the purchase of 71 Turanga Road, Waiatarua.

**CARRIED**

10.30 am Cr Presland returned to the meeting.

The Order of Business resumed at Item 6: Lease of Part Ground Floor Lopdell House.

## **PART II - PROPERTY**

### **6 LEASE OF PART GROUND FLOOR LOPDELL HOUSE**

164/2002

MOVED by Cr Battersby, seconded Cr Lawley:

1. That the information be received.
2. That part of the ground floor of Lopdell House as set out on the plan attached at page A27 to the agenda of this meeting be leased to GA and DG Flutey.
3. That the Deed of Lease be executed by Council under seal.

**CARRIED**

### **ADJOURNMENT**

165/2002

MOVED by Cr Fenton, seconded Cr Nash:

That the meeting stand adjourned until 10.50 am.

**CARRIED**

10.25 am The meeting adjourned.

10.56 am The meeting reconvened. Mayor Bob Harvey, Crs Stone, Hulse, Fenton and Lawley were not present.

**PRECEDENCE OF BUSINESS**

166/2002

MOVED by Cr Clews, seconded Cr Presland:

That Item 8: Lot 22 PD 8400 - 1 Ratanui Street, Henderson be accorded precedence at this time.

**CARRIED**

**8 LOT 22 DP 8400 - 1 RATANUI STREET, HENDERSON**

10.59 am Crs Stone and Fenton returned to the meeting.

11.00 am Cr Lawley returned to the meeting.

11.07 am Mayor Bob Harvey returned to the meeting.

167/2002

MOVED by Cr Nash, seconded Cr Brady:

1. That the information be received.
2. That authority be given to enter into a sub-lease with the Bank of New Zealand for public car parking purposes on terms and conditions satisfactory to the Corporate Solicitor, providing for continued access to and utilisation of the existing 16 car parking spaces, with a 30 minute time limitation for such casual parking.
3. That the circumstances outlined in the agenda report, and future application of the land concerned, be given further consideration as part of the Henderson Commercial Centre Revitalisation project analysis and be the subject of a further formal report to the Finance and Operational Performance Committee in due course.

**CARRIED**

The Order of Business resumed at Item 7: Glen Eden Library Development.

**7 GLEN EDEN LIBRARY DEVELOPMENT**

168/2002

MOVED by Cr Stone, seconded Cr Fenton:

That the information be received.

**CARRIED**

**PROCEDURAL MOTION TO EXCLUDE THE PUBLIC**

169/2002

MOVED by Cr Yates, seconded Cr Nash:

That the public be excluded from the following part of the proceedings of this meeting, namely Glen Eden Library Development.

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation of the matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of the matter to be considered.	Reason for passing this resolution in relation to the matter.	Ground(s) under Section 48(1)(a) for the passing of this resolution.
<ul style="list-style-type: none"><li>Glen Eden Library Development</li></ul>	<p>The withholding of information is necessary in order to:</p> <ul style="list-style-type: none"><li>Enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</li></ul>	<p>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.</p>

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 7(2)(i) of that Act which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public as follows:

- Discussing the negotiations in the public arena would affect Councils negotiating position.*

**CARRIED**

11.14 am      The public were excluded.

11.24 am      Cr Hulse returned to the meeting.

11.29 am      Mayor Bob Harvey left the meeting.

12.01 pm      The public were readmitted.

170/2002

MOVED by Cr Battersby, seconded Cr Stone:

That the Committee states a preference for development of Council owned land for the Glen Eden Library.

**CARRIED**

**NOTE:** Pursuant to Standing Order 32.11 Cr Presland requested that his vote against the motion be recorded.

171/2002

MOVED by Cr Battersby, seconded Stone:

That it be recommended to Council that \$25,000 for initial studies for the new Glen Eden Library as a commitment against the 2002/2003 Annual Budget be provided.

**CARRIED**

172/2002

MOVED by Cr Clews, seconded Cr Presland:

That a funding plan for the development of a new library in Glen Eden be submitted for consideration in the Annual Plan process.

**CARRIED**

173/2002

MOVED by Cr Battersby, seconded Nash:

1. That the Chief Executive be given authority to negotiate and conclude a lease with the owner of 277c, West Coast Road under Section 601 of the Local Government Act 1974, and that the lease be executed as negotiated.
2. That funding for the relocation of Glen Eden Library and the fit out of 277c West Coast Road be considered in the half yearly review.
3. That recommended actions required to improve pedestrian and traffic access be referred to the New Lynn Community Board for their consideration.

**CARRIED**

174/2002

MOVED by Cr Battersby, seconded Cr Lawley:

That Westview Medical be advised that Council will not be proceeding with the joint venture development.

**CARRIED**

**NOTE:** Pursuant to Standing Order 32.11 Cr Presland requested that his vote against the motion be recorded.

175/2002

MOVED by Cr Battersby, seconded Cr Lawley:

That Westview Medical be advised that Council supports their development and will help facilitate it through the provision of an Account Manager and any other actions possible, noting the separation of Council's regulatory and facilitation / land owner roles.

**CARRIED**

176/2002

MOVED by Cr Stone, seconded Cr Fenton:

That the Chairperson be delegated the authority to sign off a media release in respect of Glen Eden Library issues.

**CARRIED**

177/2002

MOVED by Cr Stone, seconded Cr Clews:

That a report on the progress to finalise a long term library site in Glen Eden be brought to the May 2002 meeting of the Finance and Operational Performance Committee.

**CARRIED**

**8 LOT 22 DP 8400 - 1 RATANUI STREET, HENDERSON**

This item was considered following Item 6: Lease of Part Ground Floor Lopdell House.

**9 LOT 3 DP 152489 - AMBRICO PLACE, NEW LYNN**

178/2002

MOVED by Cr Battersby, seconded Cr Nash:

1. That the information be received.
2. That the Chief Executive be delegated authority to seek to acquire by purchase Lot 3 DP 152489, the purchase price and any associated costs to be charged to the land subdivision reserve fund or any alternative source of funding identified.

**CARRIED**

**10 TRANSFER OF LAND TO WAITAKERE PROPERTIES - LOT 1 DP 209062**

179/2002

MOVED by Cr Battersby, seconded Cr Nash:

1. That the information be received.
2. That Council vest in Waitakere Properties Limited, pursuant to the usual Deed of Trust mechanism, all that piece of land situation at or in the vicinity of No. 39 Totara Avenue, New Lynn, Waitakere City comprising 151m<sup>2</sup> being Lot 1 Deposited Plan 209062 and being all the land comprised and described in Certificate of Title No.137A /710 (North Auckland Registry) to enable the company to manage, develop, administer and/or dispose of the lands in accordance with the Principal Objectives of the company as set out from time to time in its Statement of Corporate Intent, and any Letter of Direction which may be issued by the Council, for the benefit of the Council as public work pursuant to Part XXXII of the said Act.
3. That the Chief Executive be authorised to issue the appropriate Letter of Direction as outlined above.

**CARRIED**

**PART III - LEGAL AND CONSTITUTIONAL**

**11 AFFIXATION OF COMMON SEAL**

180/2002

MOVED by Cr Yates, seconded Cr Nash:

1. That the information be received.
2. That the action taken in affixing the Common Seal on the documents as set out in the agenda report be adopted.

**CARRIED**

**12 LEGAL CONTINGENCY 2001/2002**

181/2002

MOVED by Cr Nash, seconded Cr Battersby:

That the information be received.

**CARRIED**

**PART IV - FINANCE**

**13 BUDGET REVIEW 2002**

182/2002

MOVED by Cr Nash, seconded Cr Hulse:

1. That the information be received.
2. That \$182,300 is transferred from savings within the Lincoln Road Widening budget to fund the following project cost increases:
  - Seal Extension \$60,000 required.
  - Don Buck Road/Triangle Intersection \$64,300 required.
  - Alderman/Sel Peacock Intersection \$33,000 required.
  - Olympic Park Car Park \$25,000 required.

**CARRIED**

**14 OPERATING AND CAPITAL EXPENDITURE SUMMARIES**

183/2002

MOVED by Cr Nash, seconded Cr Lawley:

That the information be received.

**CARRIED**

**15 STATUS OF SPECIAL FUNDS**

184/2002

MOVED by Cr Nash, seconded Cr Battersby:

That the information be received.

**CARRIED**

**16 UPDATE - FINANCIAL ASSISTANCE TO WAITAKERE RANGES PROTECTION SOCIETY - LAND PURCHASE 71 TURANGA ROAD**

This item was considered following Item 5: John Edgar - Waitakere Ranges Protection Society.

**ADJOURNMENT**

185/2002

MOVED by Cr Fenton, seconded Cr Lawley:

That the meeting stand adjourned until 1.00 pm.

**CARRIED**

12.30 pm      The meeting adjourned.

1.10 pm      The meeting reconvened. Cr Battersby was not present.

**PRECEDENCE OF BUSINESS**

186/2002

MOVED by Cr Clews, seconded Cr Stone:

That Item 24: Water Issues - Citizens Against Privatisation be accorded precedence at this time.

**CARRIED**

**24 WATER ISSUES - CITIZENS AGAINST PRIVATISATION**

1.12 pm Cr Battersby returned to the meeting.

187/2002

MOVED by Cr Hulse, seconded Cr Yates:

1. That the information be received.
2. That the water pricing options outlined in the report, be the options for consultation in the 2002/2003 Annual Plan.
3. That the issues raised by Citizens Against Privatisation relating to the Auckland Regional Water Industry Review be considered as part of the existing Council process currently underway.
4. That the issues raised by Citizens Against Privatisation relating to the Commerce Act be considered as part of the separate process within Council that is currently underway for the Auckland Regional Water Industry Review.
5. That the status quo remain in relation to the disconnection of water meters until the Finance and Operational Performance Committee meeting scheduled for 14 March 2002 when a further report on this issue will be presented.

**CARRIED**

The Order of Business resumed at Item 17: Analysis of Movements in Land Value.

**17 ANALYSIS OF MOVEMENTS IN LAND VALUE**

188/2002

MOVED by Cr Clews, seconded Cr Nash:

That item 17: Analysis of Movements in Land Value be deferred until the end of the meeting.

**CARRIED**

**18 PRINGLE PARK BOWLING CLUB REQUEST FOR POSTPONEMENT OF RECREATION AND SPORT FUND LOAN REPAYMENT**

189/2002

MOVED by Cr Nash, seconded Cr Presland:

1. That the information be received.
2. That loan repayments from the Pringle Park Bowling Club be postponed for a period of 12 months.

**CARRIED**

**19 PAYMENTS FOR APPROVAL - 13 OCTOBER 2001 TO 17 JANUARY 2002**

190/2002

MOVED by Cr Fenton, seconded Cr Nash:

That the information be received and that the contracts let, and the payments made, be approved.

**CARRIED**

**20 BORROWING AND INVESTMENT REPORT**

2.06 pm Cr Presland left the meeting.

191/2002

MOVED by Cr Nash, seconded Cr Fenton:

That the information be received.

**CARRIED**

**PART V - GENERAL**

**21 JUSTICE AND ELECTORAL COMMITTEE INQUIRY**

2.09 pm Cr Presland returned to the meeting.

2.23 pm Cr Hulse left the meeting.

192/2002

MOVED by Cr Nash, seconded Cr Yates:

1. That the information be received.
2. That a submission be prepared on the comments provided at the meeting regarding the 2001 Local Body Election and forwarded to the Justice and Electoral Select Committee.
3. That the Chairperson and Deputy Chairperson be authorised to sign off the submission to the Justice and Electoral Select Committee.
4. That the submission to the Justice and Electoral Select Committee be referred to Council for endorsement.

**CARRIED**

**22 INFRASTRUCTURE AUCKLAND DRAFT STATEMENT OF CORPORATE INTENT**

2.30 pm Crs Battersby and Presland left the meeting.

193/2002

MOVED by Cr Nash, seconded Cr Brady:

1. That the information be received.
2. That it be recommended to the Electoral College that it include in its comments on the Infrastructure Auckland Statement of Corporate Intent that:
  - a) Infrastructure Auckland's commitment to and adoption of regionally adopted strategies (including Regional Growth Strategy and Regional Land Transport Strategy) be included in the Infrastructure Auckland's SCI;
  - b) Infrastructure Auckland incorporate into the final Statement of Corporate Intent a further performance target to prioritise (within the context of optimising risk and return) regional and national development when considering investment opportunities;
  - c) Infrastructure Auckland incorporate into the final Statement of Corporate Intent a further undertaking to consult with the Electoral College at least 2 months in advance of any major policy change and to respond to the College, explaining the reasons for adopting/not adopting any feedback that has been received as a result of consultation.

**CARRIED**

**23 SECOND QUARTER REPORT**

194/2002

MOVED by Cr Clews, seconded Cr Lawley:

That the information be received.

**CARRIED**

2.38 pm Cr Presland returned to the meeting.

**24 WATER ISSUES - CITIZENS AGAINST PRIVATISATION**

This item was considered following Item 16: Update - Financial Assistance to Waitakere Ranges Protection Society - Land Purchase 71 Turanga Road.

**PART VI - SPECIAL COMMITTEE AND SUBCOMMITTEE REPORTS**

**25 EMERGENCY SERVICES SPECIAL COMMITTEE**

195/2002

MOVED by Cr Nash, seconded Cr Fenton:

That the Ordinary Meeting report of the Emergency Services Special Committee be received.

**CARRIED**

**26 TENDERS SUBCOMMITTEE**

196/2002

MOVED by Cr Nash, seconded Cr Fenton:

That the Ordinary Meeting reports of the Tenders Subcommittee be received.

**CARRIED**

**26A REQUEST FOR LOAN GUARANTEE - LAINGHOLM FISHING CLUB**

197/2002

MOVED by Cr Nash, seconded Cr Yates:

1. That the information be received.
2. That a loan guarantee to the Laingholm Fishing Club to a maximum of \$10,000 be approved and that the term of the guarantee be for a 5 year term.

**CARRIED**

**PART IV - FINANCE**

**17 ANALYSIS OF MOVEMENTS IN LAND VALUE**

2.53 pm Cr Presland left the meeting.

3.10 pm Cr Lawley left the meeting.

198/2002

MOVED by Cr Fenton, seconded Cr Yates:

That the information be received.

**CARRIED**

3.40 pm

The Chairperson thanked members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AT AN ORDINARY MEETING OF THE  
FINANCE AND OPERATIONAL PERFORMANCE  
COMMITTEE HELD ON

**DATE:**.....

**CHAIRPERSON:**.....

